

Case No. 5:16-CV-955-FL

Defendants.

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) **CONSENT ORDER FOR**
) **ENTRY OF JUDGMENT**
) **BY THE PARTIES**
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The parties have reached a Settlement Agreement to resolve this case. The Settlement Agreement is attached as Exhibit 1 and incorporated by reference. As part of the Settlement Agreement, Defendants agree to entry of the Consent Judgment (the “Consent Judgment”), attached as Exhibit 2 and incorporated by reference, against them at a future date if the Plaintiffs determine that Defendants are in Default as set forth in the Settlement Agreement.

- Thus, it is STIPULATED and ORDERED that

as authorized by the False Claims Act and contemplated by the Settlement Agreement.

2. This matter shall be closed for statistical purposes; however, the Court shall retain jurisdiction of this matter to enforce the terms of the Settlement Agreement, including the entry of the Consent Judgment, and a determination of attorneys' fees and costs that Relator is entitled to recover under the False Claims Act, if necessary.
3. The Court hereby finds that the Consent Judgment, in the amount of \$2,500,000, plus interest at the rate of 4.73% per annum, is based upon the consent of the parties and is otherwise a valid judgment.
4. The Clerk of Court shall not enter a final judgment in this matter at this time. If the Plaintiffs determine that Defendants are in Default, they may immediately file a "Notice to Clerk to File Consent Judgment" (the "Notice") with this Court.
5. Upon the filing of the Notice, the Clerk of Court shall, as soon as practicable, reopen this case and date, sign, and file the Consent Judgment (with the current post-judgment interest rate), without further instruction by the Court. Defendants expressly waive notice and opportunity to be heard as to the filing and entry of the Consent Judgment by the Clerk.
6. The Defendants hereby further waive any and all available defenses as to the Plaintiffs' filing of the Notice and entry of the Consent Judgment by the Clerk, including, but not limited to, defenses based upon any statute of limitations,

any failure to file a summons or complaint, any due process claim, any claim of prejudice, or any other claim or defense whatsoever, whether in law or in equity.

7. Finally, notwithstanding the language of 28 U.S.C. § 3205 or any other statute, Defendants agree that Plaintiffs may take immediate collection action as soon as the Consent Judgment is entered. Alternatively, Defendants agree that, as of the date of this Consent Order, Plaintiffs have made demand on Defendants for payment of the amount listed in the Consent Judgment and that Defendants have not paid the amount due.

SO ORDERED this the 13th day of June, 2023.



LOUISE W. FLANAGAN
United States District Judge

CONSENTED TO:

MICHAEL F. EASLEY
United States Attorney

6/6/23
DATE

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NORTH CAROLINA ATTORNEY GENERAL

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DATE

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